

**MINUTES OF THE REGULAR MEETING OF THE
WASHINGTON STATE TRANSPORTATION COMMISSION
October 15 & 16, 2003**

The regular meeting of the Washington State Transportation Commission was called to order at 9:00 a.m., on October 15, 2003, in Room 1D2 of the Transportation Building in Olympia, Washington.

Commissioners present were: Aubrey Davis, Chair, Ed Barnes, Elmira Forner, Michele Maher, George Kargianis, Chris Marr, Connie Niva, Dale Stedman and Daniel O'Neal.

APPROVAL OF THE MINUTES

It was moved by Commissioner Maher, and seconded by Commissioner Barnes to approve the minutes of the August 20 and September 16, 2003 Commission meeting. The motion was approved unanimously.

OFFICE OF THE SECRETARY REPORT

Secretary MacDonald introduced new Commissioners Dan O'Neal, Mason County, replacing Connie Niva and Dale Stedman, Spokane County, replacing Chris Marr. New Commission member terms become effective November 1, 2003.

John Sibold, Director, Aviation Division, shared that the Division recently won the "Most Innovative State Program" award. Over the past two years the Division examined their programs to determine how to make them more customer friendly and efficient. They determined that registration and payment on the Internet was the route to take. The program has been very successful for both the Department and its customers.

Secretary MacDonald thanked Toby Rickman, State Traffic Engineer, and presented him with an award for his work on the National Highway Safety Forum. He also presented an award from Mary Peters, Administrator, Federal Highway Administration, U.S Department of Transportation, for the Department's exceptional traveler information website. Mr. Rickman extended appreciation to Department staff statewide for their participation in development of the site. The Department's website will be further enhanced in the future.

Secretary MacDonald referenced the Texas Transportation Institute's (TTI) current Traffic Congestion Report. He stated that the report compares cities in ranges by four sizes and incorporates a travel time index based on that size. The current report indicates that travel time in Seattle has decreased, although it is still at the congestion end of the spectrum, but not as high as indicated by previous reports. This change in comparison to other cities is a result of TTI's consideration of ramp metering and HOV lanes, along with the contribution of public transportation, which all save traveler delays.

Dave Dye, Administrator, Urban Corridors Office, recognized Dave Becker, Project Engineer and the project team for the NE 8th Street reconstruction project. Mr. Becker provided a briefing regarding the complexity of the bridge rolling. He recognized the project

team for all their hard work on the unconventional project.

Lorena Eng, Administrator, Northwest Region, recognized Julia Mizuhata, Project Engineer, for the SR 519 project. The project provides a safe railroad crossing for pedestrians and motorists. Ms. Mizuhata provided a briefing on the project stating that a major milestone was accomplished last week with the opening of the new I-90 on ramp north and south bound I-5. Mr. Dye commented that there would be a future briefing to the Commission on the next phase of the project.

Linda Mullen, Communications Director, WSDOT and Anne Fennessy of Cocker Fennessy, provided a briefing regarding the final report of the Central Puget Sound Area Transportation Focus Group. Cocker Fennessy Inc. is a public affairs consulting firm based in Seattle that conducted 10 focus groups for the Department. The overall theme of the focus groups was to ask participants their views on various aspects of transportation and explore the public's perception of the Department. The Department will use the focus group information for promotional/advertising, to improve project communications and inform decisions and recommendations regarding the potential HOT lane demonstration project on SR 167. The information collected will also be considered in the development of the Washington Transportation Plan.

Secretary MacDonald stated that the Discovery Institute would be reporting on seven focus groups to help shape the Regional Transportation Investment District (RTID). The report will be presented to the Seattle Area Chamber of Commerce leadership at their upcoming meeting.

Secretary MacDonald stated that staffing of the Regional Transportation District (RTID) is moving forward with Request for Proposal to retain a consultant.

Secretary MacDonald commented on the status of the Port Angeles graving dock. The Department and tribe have come to an agreement on site construction. At this point the Federal Highway Administration, the Corps of Engineers and the State Historical Preservation Office will need to sign the agreement. He stated that the delays could in fact affect the delivery of the project.

AGENCY REQUEST LEGISLATION

Don Griffith, Governmental Liaison Office, provided a briefing regarding proposed agency request legislation for the 2004 session and asked for the Commission's approval on four items presented at the September 16, 2003 meeting, along with additional information on studded tires presented today. The proposed agency request legislation is: approval of electronic toll collection for the Tacoma Narrows Bridge; enforcement of toll collection violations; recovering costs associated with damages to public facilities; toll free operation of Puget Island Ferry during bridge closures; and studded tires legislation. Mr. Griffith provided the Commission with two options regarding studded tires. One bill bans the use of studded tires in Washington. The second bill creates a per tire surcharge on the sale of studded tires.

Commissioner Barnes motioned, and Commissioner Maher seconded to approve proposed agency request legislation for electronic toll collection for the Tacoma Narrows Bridge. The motion was approved unanimously.

Commissioner Maher motioned, and Commissioner Forner seconded to approve agency request legislation for enforcement of toll collection violations. The motion was approved unanimously.

Commissioner Niva motioned, and Commissioner Marr seconded to approve agency request legislation for recovering costs associated with damages to public facilities. The motion was approved unanimously.

Commissioner Kargianis motioned, and Commissioner Maher seconded to approve toll free operation of Puget Island Ferry during bridge closures. The motion was approved with Commissioners Davis, Marr, Forner, Kargianis and Barnes voting yes and Commissioner Niva voting no.

Chris Christopher, State Maintenance Engineer, provided a briefing regarding the history of studded tires. Data indicates that 100 percent of the damage to concrete pavement is due to studded tires, with 60 percent of damage to asphalt pavement potentially being the result of studded tires. The Department is presenting proposed agency request legislation for the Commission's approval to ban studded tires or impose a fee on the sale of each tire. After discussion of both scenarios the Commission determined to vote on the ban of studded tires.

Commissioner Niva motioned, and Commissioner Kargianis seconded to ban the use of studded tires. The motion passed unanimously.

UPDATE ON HIGHWAYS OF STATEWIDE SIGNIFICANCE

Charlie Howard, Director, Strategic Planning & Programming, provided an update regarding Highways of Statewide Significance (HSS). The update covered the Legislative Transportation Committee's (LTC) request that the nomination criteria be refined. The Regional Transportation Planning Organizations (RTPO) have concerns that the time allowed to develop and review nominations is insufficient. The Department provided a revised timeline for the process.

The Department recommends that the Commission adjust the HSS update schedule slightly to allow RTPOs time to submit nominations for additions or deletions up to December 1, 2003. The Department also recommended that the Commission allow the flexibility for local jurisdictions to submit nominations directly to the Department provided that the local jurisdiction has coordinated the action with the RTPO without objection. The Department will work closely with RTPOs as the nominations are being developed to provide some of the analysis concurrently with the RTPO work. An analysis will be provided to the Commission for review at the December 17, 2003 meeting.

Commissioner Barnes motioned, and Commissioner Forner seconded to approve the Department's recommendations for the Highways of Statewide Significance process. The motion passed unanimously.

PUBLIC AND LEGISLATOR COMMENT PERIOD

Greg Stewart, IDMicro of Tacoma, Washington, stated that his company manufactures road toll transponders. The Chinese Government has extended an invitation to visit China to look at their road systems use of toll transponders. The transponders meet international standards and are also used for border security. He stated that if the State of Washington allows for competitive contract bids to provide transponders there would be a greater use percentage.

Donald Williams, Tacoma resident, commented that the proposed agency request legislation is good, but feels that there is an issue with toll-payer privacy. He also addressed his concern with construction safety at the Tacoma Narrows Bridge site.

BUDGET PROVISIO – BUSINESS SYSTEMS NEEDS ASSESMENT WORK PLAN

Rich Ybarra, Assistant Secretary, Finance and Administration, provided an update on the Department's progress in fulfilling the requirements of ESHB 1163. The project objective is to meet the Department's business requirements for more efficient management information systems. Current business processes and support systems are inflexible and necessitate significant manual effort to meet program management and reporting needs. The current systems do not support the Department's new way of doing business. This effort will provide a long-term strategic plan for future information technology investments. The workplan will be submitted to the Legislative Transportation Committee for approval. Once approved an independent consultant will be retained through the Request for proposal process. Project deliverables will include system development with appropriate cost/benefit/risk analysis.

UPDATE ON DETAILS OF TEA-21 EXTENSIONS

Larry Ehl, Federal Liaison, provided an update on the authorization and funding of federal transportation programs. Congress passed legislation to extend TEA-21 through February 29, 2004. The extension authorizes funding for highway and transit programs. It also allows temporary transfer of funds among core highway programs, provided that any transfers are restored when the next authorizing bill is enacted. The House and Senate are continuing efforts to draft and pass a six-year bill. Most of the appropriations bill – including transportation – will be rolled into one bill (“omnibus appropriations”) that is expected to pass in late October. In summary, federal funding is currently a continuing resolution that expires at midnight October 31, 2003.

CAPITAL PROGRAMMING CONSIDERATIONS

Amy Arnis, Deputy Director, Strategic Planning and Programming, briefed the Commission regarding capital programming considerations. The purpose of this item is to review the new direction set by the Legislature and Department's current view of how the

Commission can and should communicate its expectations for the Department's project delivery performance. The 2003-05 Transportation Budget provides for various phases of over 1,000 separate capital projects. The appropriations were made for projects to be funded from pre-existing revenue sources (the old "current law" concept), as well as from the newly-enacted funding sources that the Legislature specifically directed into segregated accounts. The Legislature also provided specific expenditure amounts and schedules for specific projects, referencing these instructions in the 2003-05 Transportation Budget (ESHB 1163) and transmitting them to the Legislative Evaluation and Accountability Program Committee (LEAP).

Greg Selstead, Director, Project Control and Reporting, explained that the LEAP list is the fixed object with the list of projects defined. There is an expenditure plan for the list of projects that is somewhat fixed. As we move forward there will be projects that move ahead while some will lag behind; some projects will have obstacles such as environmental permitting. There will also be opportunities that will impact projects, such as federal funding. The Legislature's new approach in structuring the appropriations and referencing the project lists is a clear signal. The scope of any deviations must be constrained solely to those that are absolutely required to deliver the program as envisioned by the Legislature. The Department has addressed this issue in the "Beige Pages" within the Gray Notebook in June 2003. The Department continues its project-by-project review attempting to describe and account for all the elements that will create, in effect, a new form of the old operating book. The Department is developing a variance report that will be linked with the Beige Pages and can serve as the project delivery charter for its accountability to the Commission and ultimately to the Legislature and taxpayers. The Gray Notebook, Beige Pages and variance report will be provided at the November 13 & 14, 2003 Commission meeting.

Secretary MacDonald commented that this reporting vehicle demonstrates accountability to the Legislature and taxpayers. He explained that it is a struggle to put together the information, and all of the variables, in order to communicate project expenditures to the Legislature.

COMMISSIONER REPORTS

Commissioner Barnes reported that he attended the Transportation Performance Audit Board meeting. He met with Senator Cantwell regarding the I-5 Corridor and several other transportation issues in Southwest Washington. He attended the Cascadia Projects Innovative Solutions to Urban Congestion seminar. He also met with the Vancouver Chamber of Commerce regarding several transportation issues, and attended a meeting at the Port of Vancouver.

Commissioner Kargianis reported that he attended the I 405 Executive Committee meeting. The Committee adopted the budget plan for congestion relief and bus rapid transit project. This concludes a three-year effort.

Jennifer Ziegler, Commission Administrator, commented that an additional briefing paper was provided on the SR 16/Burley – Olalla Road Interchange. It is anticipated that this will be an item of discussion at the Bremerton Commission meeting on October 22, 2003. She provided a memo with additional information regarding stormwater assessment fees.

Copies of letters received from Mayor Bozeman, City of Bremerton, Senator Betty Sheldon and a citizen were distributed. She also distributed the proposed regular and local Commission meeting dates for 2004 for review. Ms. Ziegler provided a briefing on various meetings that she has recently attended. She also provided a summary of Substitute Senate Bill 5585 regarding Transportation Benefit Districts.

Commissioner Maher reported that she attended the Good Roads Conference and a Tri-Cities RTPO meeting.

Commissioner Forner reported that she met with Senator Val Stevens regarding the Smokey Point Interchange. She attended the Transportation Performance Audit Board meeting, the Legislative Transportation Committee's Victoria Clipper navigation tour and the Wenatchee Valley RTPO meeting.

Commissioner Marr reported that he met with Senator Patty Murray regarding additional funding for Hwy 290 safety enhancements. He thanked the Commission for the opportunity to have been associated with transportation issues over the past seven years.

Commissioner Niva discussed transportation history and shared some of the successes throughout her term with the Commission.

Chair Davis stated that the officer's group would be meeting to evaluate a public employee's performance. There will be a report made to the entire Commission regarding this evaluation. He recommended that the Commission obtain membership to the Highway Users Federation.

Commissioner Maher motioned, and Commissioner Kargianis seconded to obtain membership to the Highway Users Federation. The motion passed unanimously.

Resolution No. 656 recognizing Commissioner Niva and Resolution No. 657 recognizing Commissioner Marr were distributed to the Commission for adoption. Both Resolutions expressed the Commission's appreciation to both Commissioner Niva and Commissioner Marr for their contributions to the Commission and the users of Washington's transportation system.

Commissioner Kargianis motioned, and Commissioner Maher seconded to approve Resolution number 656 and Resolution number 657 recognizing Commissioners Niva and Marr for their contribution to the Commission and the users of Washington 's transportation system. The motion passed unanimously.

JOINT MEETING WITH SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

Members of the Senate Highways and Transportation Committee and Commission members held an informal meeting to discuss their roles and responsibilities.

Committee and Commission members introduced themselves and shared their individual transportation interests.

Committee members present were Senator Jim Horn, Chair, Senator Jim Kastama,

Senator Bob Oke, Senator Dan Swecker, Senator Margarita Prentice. Also present were Secretary MacDonald, Ex-officio Commission member, and Dale Stedman, Commission member effective November 1, 2003.

The Commission's role is to develop transportation policies for the state for legislative or administrative action. It works with the Regional Transportation Planning Organizations (RTPO) to develop a twenty-year transportation plan for the state, proposes six-year capital investment programs and two-year budgets, reflecting both current revenues and what could be accomplished with additional revenues. The Commission establishes performance measures for both the transportation system and the Department, acts as the board of directors for the Department, appoints the Secretary of Transportation, adopts fares for Washington State Ferries and sets tolls. Commissioners also serve on regional boards and committees involved in planning and project development for transportation systems and corridors.

Commissioners and Committee members shared individual perspectives regarding the Commission's role and responsibility to the legislature and taxpayers. Both groups understand the importance of keeping the lines of communication open, as well as working together in partnership in order produce a strategic plan that is a quality product.

The Commission meeting adjourned at 12:15 p.m., on October 16, 2003.